

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 23, 2000
SAN FRANCISCO, CALIFORNIA**

S059739 In re James Robert Scott
 on
Habeas Corpus
THE COURT:

In the matter of James Robert Scott on Habeas Corpus, S059739 (related to Los Angeles Superior Court case No. A747321), the Honorable Howard J. Schwab of the Los Angeles County Superior Court is appointed to serve as referee.

The referee, after proper notice to the parties, is directed promptly to hold an evidentiary hearing and to make findings on the following questions:

1. What actions did petitioner's trial counsel take to investigate a possible mental defense at the guilt phase? What were the results of that investigation? What additional evidence supporting a mental defense, if any, could petitioner have presented at the guilt phase? What investigative steps, if any, would have led to this additional evidence? How credible was this additional evidence? What circumstances, if any, weighed against the investigation or presentation of this additional evidence? What evidence rebutting this additional evidence reasonably would have been available to the prosecution?

2. What actions did petitioner's trial counsel take to investigate potential evidence in mitigation at the penalty phase? What were the results of that investigation? What additional mitigating evidence, if any, could petitioner have presented at the penalty phase? What investigative steps, if any, would have led to this additional evidence? How credible was this additional evidence? What circumstances, if any, weighed against the investigation or presentation of this additional evidence? What evidence rebutting this additional evidence reasonably would have been available to the prosecution?

3. Did petitioner himself request the curtailment of or do anything to hinder or prevent the investigation or presentation of evidence supporting a mental defense at the guilt phase or in mitigation at the penalty phase? If so, what did he do or request?

4. Why did trial counsel advise petitioner to waive a jury? Did any failure by trial counsel to investigate a mental defense or mitigating

evidence render counsel's advice to waive a jury uninformed?
Would any additional investigation have affected the advice to waive a jury and, if so, what and how?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and of the findings of fact made.

S084766 In re Nicolas Jiminez
1st Dist. v.
A086530 Habeas Corpus
Div. 3 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Resendiz on Habeas Corpus*, S078879 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S021331 People, Respondent
 v.
 Curtis Lee Ervin, Appellant
 Petition for rehearing DENIED.

S085155 Frank Valenzuela, Petitioner
 v.
 Fourth District Court of Appeal Division One, Respondent
 People, Real Party in Interest
 Petition for writ of mandate DENIED.

- S085291 William Andrew Pillars, Petitioner
v.
First Appellate District Court of Appeal Div. Five, Respondent
People, Real Party in Interest
Petition for writ of mandate DENIED.
Mosk, J., is of the opinion the petition should be granted.
- S085527 Louie F. Mora, Petitioner
v.
Fourth District Court of Appeal Division One, Respondent
Department of Corrections, Real Party in Interest
Petition for writ of mandate DENIED.
- S085528 Louie F. Mora, Petitioner
v.
Fourth District Court of Appeal Division One, Respondent
California Department of Corrections, Real Party in Interest
Petition for writ of mandate DENIED.
- S028185 In re Earl Preston Jones
on
Habeas Corpus
Petition for writ of habeas corpus DENIED.
- S031158 In re Earl Preston Jones
on
Habeas Corpus
Petition for writ of habeas corpus DENIED.
- S055993 In re Earl Lloyd Jackson
on
Habeas Corpus
The petition for writ of habeas corpus is denied. All claims asserted in the petition are denied on the merits.
In addition, the following procedural bars apply:
Claim A is barred under *In re Dixon* (1953) 41 Cal.2d 756 (*Dixon*) to the extent it is based upon the appellate record and to the extent it does not allege ineffective assistance of trial counsel. It also is barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770; *In re Clark* (1993) 5 Cal.4th 750.)

Claims B, C, D, E, F, and G are barred as untimely.

Claim H is barred under *Dixon* to the extent it alleges prosecutorial misconduct in requesting the jury to weigh aggravating against mitigating factors. Claim H also is barred as untimely.

Claim I is barred under *In re Waltreus* (1965) 62 Cal.2d 218, 225 (*Waltreus*) to the extent petitioner contends the prosecutor failed to exercise reasonable diligence in securing the appearance of witnesses at trial. It is barred under *Dixon* to the extent petitioner contends the testimony should have been excluded as unreliable. The claim also is denied as untimely.

Claim J is barred under *Waltreus* to the extent petitioner contends the evidence should have been excluded because it was irrelevant and unduly prejudicial. Petitioner's further contentions related to this claim are barred under *Dixon*. The claim also is barred as untimely.

Claim K is barred as untimely. It also is barred under *Dixon* to the extent the claim is that the prosecutor committed misconduct in eliciting evidence of the sexual nature of the assault upon Mrs. Ott.

Claim L, part (1), is barred as untimely. Claim L, part (2), is barred under *Dixon* and also is barred as untimely.

Claim M is barred under *In re Lindley* (1947) 29 Cal.2d 709, 723. It also is barred under *Dixon* and as untimely.

Claim O is barred as untimely.

Mosk, J., and Kennard, J., are of the opinion an order to show cause should issue.

Brown, J. would deny the petition solely on the merits.

S073227 In re Earl Preston Jones
 on
 Habeas Corpus

The petition for writ of habeas corpus is denied. Claims III, IV, V, VI, VII, VIII, IX, X, XI, XV, XVI, XVIII, XXIII, and petitioner's allegation in XIV that the trial court's instructions were erroneous, are denied as untimely. Claims III, XV, XVI, petitioner's allegation in claim VI that witness Coleman's testimony was inadmissible, petitioner's allegation in claim IX that he was improperly shackled at trial, petitioner's allegation in claim X that the prosecutor committed misconduct by introducing evidence of violent criminal acts in aggravation that were too remote to be relevant, and petitioner's allegation in claim XIV that the trial court's instructions

were erroneous, are also denied on the ground that they could have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3.) Petitioner's allegation in claim X that the prosecutor could not introduce unadjudicated criminal activity after the relevant statute of limitations had elapsed is also denied on the ground that it was raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.) Claim XI is also denied because petitioner failed to raise the issue at trial. (*People v. Edwards* (1991) 54 Cal.3d 787, 827.)

With the exception of claim XIX, all claims are also denied on the merits. Claim XIX is denied as premature.

Mosk, J., and Kennard, J., are of the opinion an order to show cause should issue.

Brown, J., would deny the petition solely on the merits.

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S079689 - *In re Lee Ray Buffin on Habeas Corpus.*
- S080486 - *In re Andy Larance Smith on Habeas Corpus.* Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S080879 - *In re Darnell Hart on Habeas Corpus.*
- S081509 - *In re Gilbert A. Chavez on Habeas Corpus.* Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
Brown, J., did not participate.
- S081544 - *In re J.R. Wilkerson on Habeas Corpus.* Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S081584 - *In re Charlotte Martin on Habeas Corpus.*
- S081720 - *In re Freddy B. Alonzo on Habeas Corpus.*
- S081805 - *In re Ronnie Bell on Habeas Corpus.* Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.

- S082032 - In re Carl Eric Collier on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S082186 - In re Anthony Graham on Habeas Corpus.
- S082204 - In re Lennox W. Swift on Habeas Corpus.
- S082311 - In re Marlondo Toney on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)
- S082339 - In re Michael R. Jackson on Habeas Corpus. Petition for writ of habeas corpus DENIED as moot.
- S082582 - In re Irvin Terrell Tatum on Habeas Corpus.
- S082863 - In re Ronald William Singson on Habeas Corpus.
- S082959 - In re Richard Lee Ventura on Habeas Corpus.
- S083063 - In re Carl Eric Collier on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S083127 - In re Jeffrey L. Bryant on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*People v. Honea* (1997) 57 Cal.App.4th 842, 844-846; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S083145 - In re Raymond Rochell Reed on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Clark* (1993) 5 Cal.4th 750.)
- S083282 - In re Wayne Dupree Hunter on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S083298 - In re Robert James Acremant on Habeas Corpus. Application for stay and petition for writ of habeas corpus DENIED.

- S083304 - In re Larry James on Habeas Corpus.
- S083308 - In re Joseph Murl Bennett on Habeas Corpus. Petition for writ of habeas corpus DENIED as moot.
- S083352 - In re Jesus Villagrana Arteaga on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S083373 - In re Victor D. Herd on Habeas Corpus.
- S083598 - In re John Barry Estep on Habeas Corpus.
- S083615 - In re Steve Badue on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S083661 - In re Eddie Lee Galloway on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S083674 - In re Gary Raymond Drummonds on Habeas Corpus.
- S083685 - In re Louis Carroll, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S083710 - In re Maynard M. Kepler on Habeas Corpus.
- S083716 - In re Jeffery Dee Gray on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S083718 - In re Kevin Strack on Habeas Corpus.
- S083720 - In re Frank Ralph Perez on Habeas Corpus.
- S083748 - In re William Langston Meador on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S083761 - In re Larry McLaughlin on Habeas Corpus.

- S083769 - In re Craig Henry Post on Habeas Corpus.
- S083771 - In re Darrel Maurice Smith, Sr. on Habeas Corpus.
- S083803 - In re Rhonda Chinae Carter on Habeas Corpus.
- S083836 - In re Guy Young on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S083841 - In re Christopher S. Aldridge on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S083846 - In re Allwynn Jackson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S083864 - In re Bradley E. Shells on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lessard* (1965) 62 Cal.2d 497, 503.)
- S083875 - In re Mark Thomas Carter on Habeas Corpus.
- S083877 - In re Jesse Lee Johnson aka Jesse Cannon Thomas on Habeas Corpus.
- S083878 - In re Corby Donnell Albert on Habeas Corpus.
- S083908 - In re Hugo David Gomez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S083922 - In re Harold Ball on Habeas Corpus.
- S083952 - In re Kory M. Sena on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)

- S083958 - In re Pedro Delgadillo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S083970 - In re Octavio Huerta Carrillo on Habeas Corpus.
- S083973 - In re Jorge Gonzales aka Jorge E. Lemus on Habeas Corpus.
- S083974 - In re Alan McPheron Betts on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S083975 - In re Orlando Santo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S083976 - In re Barry Dwayne Jones on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
Mosk, J., is of the opinion an order to show cause should issue.
- S083980 - In re Cesar Acosta on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S083987 - In re Jeffrey Lee Holloway on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S083988 - In re Charles B. Green on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Lessard* (1965) 62 Cal.2d 497, 503.)
- S083990 - In re John Michael Baptiste on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S083993 - In re Dennis V. McGuire on Habeas Corpus.

- S083996 - In re Jerry Land on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S083998 - In re Charles Curry on Habeas Corpus.
- S084030 - In re Emiliana Vareles on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)
- S084032 - In re Ernest Henry Thompson on Habeas Corpus.
- S084033 - In re Angelo Charles Castello on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084036 - In re Rose Pastor Winters on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084047 - In re Jon P. Settle on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084051 - In re Raymond Valentino Butler on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S084065 - In re Ira Flynn Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Yurko* (1974) 10 Cal.3d 857; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084067 - In re Roger Gomez on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S084083 - In re James William Tatlis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d

734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S084082 - In re Samuel Q. Bonner on Habeas Corpus.
- S084090 - In re Emil J. Ekdahl on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084115 - In re Roberto Martinez on Habeas Corpus.
- S084117 - In re Franklin Ramirez Carrillo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S084118 - In re Wayne Contreras on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S084120 - In re Raymond Rochell Reed on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S084126 - In re Gary L. Harris on Habeas Corpus.
- S084128 - In re Joseph Albert Roberge on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S084155 - In re Frank Davis, Jr. on Habeas Corpus.
- S084156 - In re James Flint, Jr. on Habeas Corpus.
- S084157 - In re Vendel O. Jeffries on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084158 - In re Juvenal Ruiz on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084159 - In re Massimo Candido on Habeas Corpus.

- S084160 - In re Brandon T. Collins on Habeas Corpus.
- S084175 - In re Tyrone Wallace on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084192 - In re Joseph Albert Roberge on Habeas Corpus.
- S084193 - In re Frank Cannon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S084194 - In re Anthony L. Tarkington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084196 - In re Mariano Moreno on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084200 - In re Eddie O. Gilmore on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084202 - In re Moises Trevino on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084203 - In re Manuel Busane on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084212 - In re Anthony J. Washington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084213 - In re James Ray Carlin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084217 - In re Michael Matthew Roe on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- S084219 - In re Larry John Phillips on Habeas Corpus.
- S084220 - In re Antwayne R. Quarrells on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084247 - In re Charles Isaiah Sheppard on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084248 - In re Yves Montano Howard on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Clark* (1993) 5 Cal.4th 750.)
- S084249 - In re La Von Haney aka Khalif Lateef on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S084251 - In re Charles Edward Turner on Habeas Corpus.
- S084259 - In re Larry John Phillips on Habeas Corpus.
- S084261 - In re Sherman H. Ellis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Yurko* (1974) 10 Cal.3d 857; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084262 - In re Alonzo Whit on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084264 - In re Lane C. Moller on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

- S084266 - In re Juan Manuel Calderon-Torres on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S084270 - In re Eugene Pascual Garcia on Habeas Corpus.
- S084289 - In re Camilo Acosta on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S084290 - In re Anthony Mendiola on Habeas Corpus.
- S084294 - In re Armando Guillen on Habeas Corpus.
- S082496 - In re Alonzo James Joseph on Habeas Corpus.
- S084301 - In re Ivan Ramirez Flores on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S084304 - In re Gregory C. Campbell on Habeas Corpus.
- S084306 - In re Jon W. Downey, Jr. on Habeas Corpus.
- S084307 - In re Glenn Bailey on Habeas Corpus.
- S084308 - In re Matthew Rocha on Habeas Corpus.
- S084309 - In re Isabel Tubach on Habeas Corpus.
- S084330 - In re Melanio Villero on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084331 - In re Geoffrey Lamont Elbert on Habeas Corpus.
- S084332 - In re Tommy Curtis Eckman on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084333 - In re Bruce James Bonney on Habeas Corpus.

- S084337 - In re Ramon Ray Malbrough on Habeas Corpus.
- S084366 - In re Tyrone Nelson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S084360 - In re Donel Leroy Ardery on Habeas Corpus. Petition for writ of habeas corpus is DENIED for lack of diligence.
- S084367 - In re Terry L. Slaughter on Habeas Corpus.
- S084371 - In re Daniel Dupont on Habeas Corpus.
- S084376 - In re Lucas Argilago on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S084382 - In re Askia S. Ashanti on Habeas Corpus.
- S084383 - In re Aaron Alvarez Herrera on Habeas Corpus.
- S084402 - In re Roosevelt Allen, Jr. on Habeas Corpus.
- S084404 - In re Victor Phillips on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084412 - In re Frederick L. Crowell, Jr. on Habeas Corpus.
- S084413 - In re Roque Martinez Teran on Habeas Corpus.
- S084416 - In re Daniel Edmonson on Habeas Corpus.
- S084435 - In re Dionisio H. Alamo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084439 - In re Todd Michael Ferguson on Habeas Corpus.
- S084443 - In re Calvin Treadway on Habeas Corpus.

- S084445 - In re Charles Peebles on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084446 - In re Omar Castro on Habeas Corpus.
- S084452 - In re Ronald J. Downs on Habeas Corpus.
- S084459 - In re Steven Damon Cox on Habeas Corpus.
- S084463 - In re Shaun White on Habeas Corpus.
- S084464 - In re Gary L. Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S084467 - In re Joseph Albert Roberge on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S084488 - In re Aaron Frazier on Habeas Corpus.
- S084507 - In re Pedro Robaina Carvajal on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S084523 - In re Joey Lepe Pulu on Habeas Corpus.
- S084526 - In re Lionel Bradley on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084528 - In re Michael Andre Todd on Habeas Corpus.
- S084529 - In re Dwight Lamar Boudreaux on Habeas Corpus.
- S084530 - In re David Bradley High on Habeas Corpus.
- S084531 - In re Timothy Buford on Habeas Corpus.

- S084533 - In re James Youngblood on Habeas Corpus.
- S084534 - In re Wade Todd McAllister on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S084566 - In re Michael James Parish on Habeas Corpus.
- S084572 - In re Gilbert William Marquez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084582 - In re Glen D. Brown on Habeas Corpus.
- S084583 - In re Robert Eric Parrish on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S084586 - In re Larry L. Rice on Habeas Corpus.
- S084593 - In re Henry M. Zimmeth on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084599 - In re Joann Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084639 - In re Frank L. Ervin on Habeas Corpus.
- S084640 - In re Francisco Garcia on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084665 - In re Trayveon D. Young on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

- S084681 - In re Jerry Hawkins on Habeas Corpus.
- S084683 - In re Rudolf Carl Hennicke on Habeas Corpus.
- S084692 - In re Alejandro Lopez on Habeas Corpus.
- S084734 - In re Phillip Michael Casey on Habeas Corpus.
- S084739 - In re Ascencion Torres Hurtado on Habeas Corpus.
- S084740 - In re Henry Hendrix on Habeas Corpus.
- S084743 - In re Marcus Ruben Ellington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084762 - In re Willie Lee Miles on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S084764 - In re Theodore Littlefield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.) Mosk, J., is of the opinion an order to show cause should issue.
- S084768 - In re Christopher Blagg on Habeas Corpus.
- S084770 - In re Frederick Stills on Habeas Corpus.
- S084773 - In re James A. Boyd on Habeas Corpus.
- S084779 - In re Travis P. Kelly on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S084805 - In re Juan Munoz on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S084810 - In re Donald Ray King on Habeas Corpus.

- S084818 - In re Alex Leon Windham on Habeas Corpus.
- S084819 - In re Frank G. Gutierrez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S084862 - In re Hadley Hamm on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S085407 - In re Isabel Tubach on Habeas Corpus.

1st Dist. Patrick Barkhordarian et al., Appellants
A073726 v.
Div. 5 Cooley Godward Castro Huddleson & Tatum et al., Respondents
S061544 Petition for review DENIED.

1st Dist. Gregory J. Hampton, Appellant
A081429 v.
Div. 4 Wells Fargo Bank, Respondent
S085251 Appellant's petition for review DENIED.
Baxter, J., did not participate.

1st Dist. People, Respondent
A082278 v.
Div. 1 Thomas Allen Darby, Appellant
S085205 Appellant's petition for review DENIED.

1st Dist. The Insurance Company of the State of Pennnsylvania, Appellant
A082943 v.
Div. 3 Argonaut Insurance Company et al., Respondents
S084098 Petition for review DENIED.

1st Dist. People, Respondent
A083194 v.
Div. 1 Mango Watts, Appellant
S084632 Appellant's petition for review DENIED.
Mosk, J., and Kennard, J., are of the opinion the petition should be granted.

1st Dist. People, Respondent
A083213 v.
Div. 4 Patrick Harvey, Appellant
S085308 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A083843 v.
Div. 2 Shahram Nabavi, Appellant
S085310 Appellant's petition for review DENIED.

1st Dist. In re Shawn S., a Person Coming Under the Juvenile Court Law
A083985 -----
Div. 1 People, Respondent
S085132 v.
Shawn S., Appellant
Appellant's petition for review DENIED.

1st Dist. Raja S. Virk et al., Appellants
A084181 v.
Div. 1 Triond et al., Respondents
S085214 Petition for review DENIED.

1st Dist. People, Respondent
A084775 v.
Div. 1 Ronald Dean Gregg, Appellant
S085140 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A084795 v.
Div. 4 Jamal J. Thomas, Appellant
S084635 Appellant's petition for review DENIED.
Mosk, J., and Kennard, J., are of the opinion the petition should be granted.
Werdegar, J., is of the opinion the petition should be granted.

1st Dist. In re Jimmy M., a Person Coming Under the Juvenile Court Law
A084805 -----
Div. 1 People, Respondent
S085283 v.
Jimmy M., Appellant
Petition for review DENIED.

1st Dist. A085112 Div. 2 S085304	People, Appellant v. John Charles Poshepny, Respondent Petition for review DENIED.
1st Dist. A085514 A082613 Div. 1 S085259	In re Khaliliah L., Persons Coming Under the Juvenile Court Law ----- Solano County Health & Social Services Department, Respondent v. Lovell L. et al., Appellants Petition for review DENIED.
1st Dist. A085824 Div. 5 S085403	People, Respondent v. Lelano Amos, Appellant Appellant's petition for review DENIED.
1st Dist. A086011 Div. 1 S085157	In re Marcel A., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Marcel A., Appellant Petition for review DENIED.
1st Dist. A086176 Div. 5 S085313	In re Anthony J., a Person Coming Under the Juvenile Court Law ----- Alameda County Department of Social Services, Respondent v. Heather G., Appellant Appellant's petition for review DENIED.
1st Dist. A089403 Div. 4 S085340	Eddye Melaragno et al., Petitioners v. Alameda County Superior Court, Respondent Elise Balbley et al., Real Parties in Interest The request for judicial notice is granted. Application for stay and petition for review DENIED.

1st Dist. Ronald W. Shepherd, Petitioner
A089455 v.
Div. 2 San Mateo County Superior Court, Respondent
S085081 Carl F. Schrader et al., Real Parties in Interest
Petition for review DENIED.

2nd Dist. In re Todd Love
B084013 on
Div. 6 Habeas Corpus
S084568 Petition for review DENIED.

2nd Dist. People, Respondent
B114736 v.
Div. 4 Foster Johnson III, Appellant
S084983 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B116541 v.
Div. 7 David Missman, Appellant
S084574 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B118298 v.
Div. 7 Alfred Chavez, Appellant
S084369 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B121842 v.
Div. 3 Victor Legans, Appellant
S085133 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B122119 v.
Div. 7 Richard Williams, Appellant
S084265 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B122552 v.
Div. 7 Rodney Dean Finley, Appellant
S085299 Appellant's petition for review DENIED.

2nd Dist. B122970 Div. 1 S085057	People, Respondent v. Donald K. Hooker, Appellant Appellant's petition for review DENIED.
2nd Dist. B123042 Div. 5 S084704	People, Respondent v. Donnell Smith et al., Appellants Appellants' petitions for review DENIED.
2nd Dist. B123519 Div. 5 S085255	People, Respondent v. Tyrone Thompson, Appellant Appellant's petition for review DENIED.
2nd Dist. B123815 Div. 3 S085115	People, Respondent v. Patrick Charles King, Appellant Appellant's petition for review DENIED.
2nd Dist. B124847 Div. 2 S085106	People, Respondent v. Kevin Robinson, Appellant Respondent's petition for review DENIED.
2nd Dist. B125993 Div. 2 S085098	People, Respondent v. Gregory Allen McLauren, Appellant Respondent's petition for review DENIED.
2nd Dist. B127429 Div. 1 S084129	Edward G. Cook et al., Appellants v. Greenberg & Bass et al., Respondents Appellants' petition for review DENIED.
2nd Dist. B127491 Div. 7 S085179	People, Respondent v. Jose Acaba, Appellant Appellant's petition for review DENIED.

2nd Dist. B127685 Div. 4 S085059	People, Respondent v. Michael Fikes, Appellant Appellant's petition for review DENIED.
2nd Dist. B128706 Div. 7 S085222	People, Respondent v. Perry Perish West, Appellant Appellant's petition for review DENIED.
2nd Dist. B129074 Div. 1 S085120	People, Respondent v. Brian Dione Lewis, Appellant Appellant's petition for review DENIED.
2nd Dist. B129562 Div. 4 S084598	People, Respondent v. Marvin Randolph, Appellant Appellant's petition for review DENIED.
2nd Dist. B129723 Div. 4 S085277	People, Respondent v. David James Dominguez, Appellant Appellant's petition for review DENIED.
2nd Dist. B129801 Div. 4 S085073	People, Respondent v. Annete Lucille Howard, Appellant Appellant's petition for review DENIED.
2nd Dist. B129872 Div. 7 S085136	People, Appellant v. Kirk Edward Johnson, Respondent Respondent's petition for review DENIED.
2nd Dist. B130102 Div. 5 S085170	People, Respondent v. Juan Martinez Delira, Appellant Appellant's petition for review DENIED.

2nd Dist. B130391 Div. 6 S085056	People, Respondent v. Ason Ordonio, Appellant Appellant's petition for review DENIED.
2nd Dist. B130431 Div. 5 S085167	People, Respondent v. Nathaniel Jones, Appellant Appellant's petition for review DENIED.
2nd Dist. B131008 Div. 7 S085138	People, Respondent v. Nicholas F. Sanchez, Appellant Appellant's petition for review DENIED.
2nd Dist. B131015 Div. 4 S085221	People, Respondent v. Lamont Neal, Jr., Appellant Appellant's petition for review DENIED.
2nd Dist. B131528 Div. 5 S085055	People, Respondent v. Lawrence Smith, Appellant Appellant's petition for review DENIED.
2nd Dist. B135875 Div. 3 S084003	Morrison & Foerster, Morrison & Foerster LLP, Petitioner v. Los Angeles County Superior Court, Respondent State Street Bank and Trust Company of California, Real Party in Interest Petition for review DENIED.
2nd Dist. B137714 Div. 5 S085154	Claire Ragge, Petitioner v. Los Angeles County Superior Court, Respondent Law Office of Hadsell & Stormer, Real Party in Interest Petition for review DENIED.

2nd Dist. Emanuel Gordon et al., Petitioners
B138101 v.
Div. 3 Los Angeles County Superior Court, Respondent
S085257 Richard Maslan & Company, Real Party in Interest
Application for stay and petition for review DENIED.

2nd Dist. In re Dario Pini
B138380 on
Div. 6 Habeas Corpus
S085668 Application for stay and petition for review DENIED.

2nd Dist. Anthony Jamal Ruffin, Petitioner
B138828 v.
Div. 7 Los Angeles County Superior Court, Respondent
S085986 People, Real Party in Interest
Application for stay and petition for review DENIED.

2nd Dist. Vibeke Cloud, Respondent
B106910 v.
Div. 4 Western Atlas Incorporated et al., Appellants
S085042 Joseph T. Casey et al., Respondents
Respondents' petition for review DENIED.
Chin, J., and Brown, J., are of the opinion the petition should be granted.
The request for an order directing depublication of the opinion is DENIED.

2nd Dist. People, Respondent
B119242 v.
Div. 7 Michael J. McDonald et al., Appellants
S084716 Petitions for review DENIED.

2nd Dist. People, Respondent
B124758 v.
Div. 2 Lawrence Williams, Appellant
S084615 Appellant's petition for review DENIED.
Kennard, J., and Werdegarr, J., are of the opinion the petition should be granted.

2nd Dist. B126166 Div. 4 S084508	People, Respondent v. Juan M. Martinez, Appellant Appellant's petition for review DENIED.
2nd Dist. B127817 Div. 2 S084325	Laurie Cook Johnson, Appellant v. Karla E. Kotyck, Respondent The request for judicial notice is granted. Petition for review DENIED.
2nd Dist. B130088 Div. 7 S084055	Alec Alejo et al., Appellants v. City of Alhambra, Respondent Respondent's petition for review DENIED.
3rd Dist. C028143 S085103	People, Respondent v. Dennis Donnell Robertson, Appellant Appellant's petition for review DENIED.
3rd Dist. C029392 S084700	People, Appellant v. Rodney Duane Allen, Respondent Respondent's petition for review DENIED. Kennard, J., is of the opinion the petition should be granted. Werdegarr, J., is of the opinion the petition should be granted.
3rd Dist. C029875 S085085	People, Respondent v. Marjory Darnell Mann, Appellant Appellant's petition for review DENIED.
3rd Dist. C030007 S085166	People, Respondent v. Thurman Upchurch, Appellant Appellant's petition for review DENIED.
3rd Dist. C030211 S085294	People, Respondent v. Stephen Wayne Murphy, Appellant Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C030332 v.
S084545 Paul O. Chong, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031505 v.
S085080 Brian Alan Alberts, Appellant
Appellant's petition for review DENIED.

3rd Dist. Ming Liu, Respondent
C031549 v.
S084852 State Personnel Board et al., Respondents
Employment Development Department, Real Party in Interest
Petition for review DENIED.

3rd Dist. People, Respondent
C031655 v.
S085307 Matias Gonzalez Unqueta, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031720 v.
S085200 Richard Kassidy Bendle, Appellant
Appellant's petition for review DENIED.

3rd Dist. Owen Waltrip Jr., Petitioner
C033344 v.
S084338 Workers' Compensation Appeals Board et al., Respondents
Petition for review DENIED.

3rd Dist. Manuel S. Servin, Petitioners
C034280 v.
S084850 Sutter County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. In re Manuel S. Servin
C034282 on
S084851 Habeas Corpus
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. Tim Crews, Petitioner
C034687 v.
S085712 Tehama County Superior Court, Respondent
People, Real Party in Interest
Application for stay and petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. Tim Crews, Petitioner
C034819 v.
S085711 Tehama County Superior Court, Respondent
Dewey V. Anderson, Real Party in Interest
Application for stay and petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D029778 v.
Div. 1 Lee Virt Quillar, Appellant
S084509 Appellant's petition for review DENIED.

4th Dist. In re Tony Vincent Roberts on Habeas Corpus
D030050 -----
D032868 People, Respondent
Div. 1 v.
S084637 Tony Vincent Roberts, Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
D030604 v.
Div. 1 Jesus Alonso Gonzalez et al., Appellants
S084556 Appellants' petitions for review DENIED.

4th Dist. First Interstate Bank of Oregon, Respondent
D030606 v.
Div. 1 Jack R. Sowell et al., Appellants
S085164 Appellants' petition for review DENIED.

4th Dist. Hoyt E. Hart II, Appellant
D031358 v.
Div. 1 Alameda County et al., Respondents
S084318 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D031577 v.
Div. 1 John Alex Harrison, Appellant
S085318 Appellant's petition for review DENIED.

4th Dist. Benjamin Pavone, Appellant
D031808 v.
Div. 1 Citicorp Credit Services Incorporated, Respondent
S085249 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D031849 v.
Div. 1 Nobel Insurance Company, Appellant
S084423 Appellant's petition for review DENIED.
Kennard, J., and Werdegarr, J., are of the opinion the petition should be granted.

4th Dist. People, Respondent
D031953 v.
Div. 1 Desiree Balestra, Appellant
S084427 Appellant's petition for review DENIED.
Mosk, J., and Kennard, J., are of the opinion the petition should be granted.

4th Dist. In re Quinton S., a Person Coming Under the Juvenile Court Law
D032534 -----
Div. 1 San Diego County Health & Human Services, Respondent
S085026 v.
Jimmie F., Appellant
Petition for review DENIED.

4th Dist. Beverly Duda, Respondent
D033335 v.
Div. 1 Richard Bandler et al., Appellants
S084925 Petition for review DENIED.

4th Dist. People, Respondent
E022745 v.
Div. 2 Warren Morris, Appellant
S085404 Petition for review DENIED.

4th Dist. E022751 Div. 2 S084659	People, Respondent v. Joseph I. Obadike, Appellant Appellant's petition for review DENIED.
4th Dist. E023152 Div. 2 S084647	In re Randy S., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Randy S., Appellant Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
4th Dist. E023251 Div. 2 S085241	People, Respondent v. Irma Yvonne Gandara, Appellant Appellant's petition for review DENIED.
4th Dist. E023274 Div. 2 S085065	People, Respondent v. Timothy Wayne Antinucci, Appellant Appellant's petition for review DENIED.
4th Dist. E023740 Div. 2 S085128	People, Respondent v. Andrew Ramirez, Appellant Appellant's petition for review DENIED.
4th Dist. E023903 Div. 2 S085150	People, Respondent v. Garland Moses Brown, Appellant Appellant's petition for review DENIED.
4th Dist. E024226 Div. 2 S084654	In re Joshua C., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Joshua C., Appellant Petition for review DENIED. Kennard, J., and Werdegarr, J., are of the opinion the petition should be granted.

4th Dist. E024659 Div. 2 S0884781	In re Leonard G., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Leonard G., Appellant Appellant's petition for review DENIED. Kennard, J., and Werdegarr, J., are of the opinion the petition should be granted.
4th Dist. E024954 Div. 2 S085147	People, Respondent v. John Arel Thibeault, Appellant Appellant's petition for review DENIED.
4th Dist. E026034 Div. 2 S085123	People, Respondent v. James Victor Hodgnett, Appellant Appellant's petition for review DENIED.
4th Dist. E026048 Div. 2 S085087	State of California, etc. et al., Petitioners v. Workers' Compensation Appeals Board et al., Respondents Eleanor Dougherty, Respondent Petition for review DENIED.
4th Dist. E026061 Div. 2 S084281	George Oliver, Petitioner v. San Bernardino County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. G021783 Div. 3 S084592	People, Respondent v. Steven Wayne Arndt, Appellant Appellant's petition for review DENIED.
4th Dist. G023069 Div. 3 S085217	People, Respondent v. Dwight Anthony Rolls, Appellant Appellant's petition for review DENIED.

4th Dist. G023474 Div. 3 S084702	People, Respondent v. Zandle Rodrick Bode, Appellant Appellant's petition for review DENIED.
4th Dist. G023795 Div. 3 S084303	People, Respondent v. Vali Nicolae Scarlat, Appellant Appellant's petition for review DENIED.
4th Dist. G023988 Div. 3 S085271	People, Respondent v. Ludwin Roberto Antillon et al., Appellants Appellants' petition for review DENIED.
4th Dist. G026085 Div. 3 S085196	Carroll S. Dawson, Petitioner v. Sonia T. Sonju, Respondent Respondent's petition for review DENIED.
4th Dist. G026574 Div. 3 S085093	Joseph Morris, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
5th Dist. F027683 S084731	James Sheetz et al., Respondents v. G & G Construction et al., Appellants Petition for review DENIED.
5th Dist. F028486 S084833	People, Respondent v. Michael Ray Cooper, Appellant Appellant's petition for review DENIED.
5th Dist. F029692 S085309	In re the Marriage of Joan and Garrit Tuenissen ----- Joan Tuenissen, Respondent v. Garrit Tuenissen, Appellant Petition for review DENIED.

5th Dist. F030342 S084940	Carmen Kirscher, Appellant v. County of Fresno, Respondent Petition for review DENIED.
5th Dist. F030678 S084224	Laverne T. Coelho, etc. et al., Respondents v. Edward M. Coelho et al., Appellants Appellants' petition for review DENIED.
5th Dist. F030687 S084730	People, Respondent v. David Harper, Appellant Appellant's petition for review DENIED.
5th Dist. F030905 S085254	People, Respondent v. Robert W. Ackerman, Jr., Appellant Appellant's petition for review DENIED.
5th Dist. F031227 S085089	People, Respondent v. Louie Garcia, Appellant Appellant's petition for review DENIED.
5th Dist. F031502 S085084	People, Respondent v. Marvin Elester Lopez, Appellant Appellant's petition for review DENIED.
5th Dist. F031585 S085256	People, Respondent v. Leonard Lonzell Webb, Jr., Appellant Appellant's petition for review DENIED.
5th Dist. F031856 S085245	People, Respondent v. Robert James Stevenson, Appellant Appellant's petition for review DENIED.

5th Dist. Kendall-Jackson Winery Ltd., Petitioner
F033305 v.
S085187 Stanislaus County Superior Court, Respondent
E & J Gallo Winery, Real Party in Interest
Real Party in Interest's petition for review DENIED.

5th Dist. Michael Dearing, Petitioner
F034460 v.
S085148 Tulare County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

5th Dist. Steven Andrew Pulmer, Petitioner
F034526 v.
S085131 Kern County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

6th Dist. People, Respondent
H018500 v.
S085208 Nicomedez Roman, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018538 v.
S085329 Jamont Lamore Calhoun, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018634 v.
S085339 Mak Nae Ku, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018870 v.
S085053 Christopher Andrew Muldrow, Appellant
Appellant's petition for review DENIED.

6th Dist. Roy Dewey Barnhart III et al., Appellants
H019287 v.
S085270 Cabrillo Community College et al., Respondents
Appellants' petition for review DENIED.
Mosk, J., and Werdegarr, J., are of the opinion the petition should
be granted.

6th Dist. In re Pedro C., a Person Coming Under the Juvenile Court Law
H019453 -----
S085159 People, Respondent
v.
Pedro C., Appellant
Petition for review DENIED.

2nd Dist. Jerry Ware, Petitioner
B129578 v.
Div. 7 Workers' Compensation Appeals Board, Respondent
S084211 On the recommendation of the Court of Appeal pursuant to
rule 978 of the California Rules of Court, the Reporter of Decisions
is directed to publish the opinion in the above-entitled appeal in the
Official Reports. See Rule 978(c), California Rules of Court.

1st Dist. Richard J. Gienger, Appellant
A084980 v.
S085266 Calif. Dept. of Forestry & Fire Protection et al., Respondents
Pacific Lumber Company, Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Jamie Scott Enyart, Respondent
B108348 v.
Div. 3 City of Los Angeles et al., Appellants
S085501 The requests for an order directing depublication of the opinion
in the above entitled cause are DENIED.

2nd Dist. Edward Kim et al., Respondents
B115574 v.
Div. 3 County of Los Angeles, Appellant
S085198 The request for an order directing publication of the opinion is
DENIED.

2nd Dist. In the Matter of Sarah L. and Dana L.,
B124573 Persons Coming Under. the Juvenile Court Law;
Div. 7 Los Angeles County Department of Children and etc., Respondent
S084061

Stephen L.

The request for an order directing publication of the opinion is
DENIED.

4th Dist. In re the Marriage of Gonzalez and Berrios
D026334 -----
Div. 1 Carmen Viera Gonzalez, Appellant
S085262 v.

Angel Rosario Berrios, Respondent

The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

Orders were filed in the following matters extending the time within
which to grant or deny a petition for review to and including the date indicated, or
until review is either granted or denied:

D028223/S084672 In re Dean Stockton on Habeas Corpus – March 24, 2000.

D030604/S084556 People v. Jesus Alonzo Gonzalez – March 22, 2000.

E022409/S084671 Edwin B. Kramer et al. v. State Farm Ins. – March 27, 2000.

E022697/S084728 People v. Amador Vargas et al. – March 27, 2000.

E023152/S084647 In re Randy S.; People v. Randy S. – March 24, 2000.

E024226/S084654 In re Joshua C.; People v. Joshua C. – March 26, 2000.

E024659/S084781 In re Leonard G.; People v. Leonard G. – March 28, 2000.

E026098/S084603 Art A. Armendariz Jr. v. Workers' Compensation Appeals
Board; Frito-Lay Incorporated, RPI – March 24, 2000.

G021109/S084673 People v. Antoinette Yancey – March 27, 2000.

G021783/S084592 People v. Steven Wayne Arndt – March 24, 2000.

S016730 People, Respondent

v.

Raymond Edward Steele, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including April 17, 2000.

No further extensions of time will be granted.

S022173 People, Respondent

v.

Clifford Stanley Bolden, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including March 15, 2000.

No further extensions of time are contemplated.

S022224 People, Respondent

v.

Darren Cornelius Stanley, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including April 17, 2000.

S082236 George McCall et al., Appellants

v.

Pacificare of California, Incorporated et al., Respondents

On application of appellants George McCall and Barbara McCall and good cause appearing, it is ordered that the time to serve and file appellants' answer brief on the merits is extended to and including

No further extensions of time will be granted.

S083934 Blue Ridge Insurance Company, Appellant

v.

Brigette Jacobsen et al., Appellants

On application of appellants and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including March 20, 2000.

- S012944 People, Respondent
 v.
 Richard Ramirez, Appellant
 Appellant's motion to relieve appointed counsel Geraldine S. Russell and appoint new counsel in her place, filed on February 14, 2000, is denied.
- S076559 People, Respondent
 v.
 James Earl Rivera, Appellant
 Upon request of appellant for appointment of counsel, Neoma Kenwood is hereby appointed to represent appellant on his appeal now pending in this court.
- S080078 People, Respondent
 v.
 Robert Tindall, Appellant
 Upon request of appellant for appointment of counsel, Edward Schulman is hereby appointed to represent appellant on his appeal now pending in this court.
 Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.
- S086021 Parrish Bryant Garvin, Petitioner
 v.
 Kings County Municipal Court, Respondent
 People, Real Party in Interest
 The above entitled matter is transferred to the Court of Appeal, Fifth Appellate District.
- 2nd Dist. Transfer Orders
 The following matters, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Six:
 B122084, *The People v. Kevin Walker*
 B125868, *The People v. Sean Thames*
 B126176, *The People v. Samuel Woolen*
 B127178, *The People v. Julian Salcido*
 B127698, *The People v. Don Jones*
 B128874, *The People v. Marcial Garcia*
 B130684, *The People v. Peter Dove*

2nd Dist.
B124063 People, Respondent
 v.

Darrion Alexander and Marcellus Moore

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Six.

2nd Dist.
B137436 People
 v.

Kenneth Hughes

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Six to Division One.

S084339 In re **Laura Luciana Santos** on Discipline

It is ordered that **Laura Luciana Santos**, State Bar No. 150378, be suspended from the practice of law for four years, that execution of suspension be stayed, and that she be placed on probation for four years on condition that she be actually suspended for two years and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; and until she makes restitution to Constance Reinhardt (or the Client Security Fund, if appropriate) in the amount of \$2,000.00, plus 10% interest per annum from June 30, 1993; to Deena and Leeo Whisenant (or the Client Security Fund, if appropriate) in the amount of \$500.00, plus 10% interest per annum from January 2, 1996; to Edward Baretta (or the Client Security Fund, if appropriate) in the amount of \$1,000.00, plus 10% interest per annum from February 27, 1997; to Deborah Charles (or the Client Security Fund, if appropriate) in the amount of \$1,348.54, plus 10% interest per annum from June 4, 1999; to Lucille and Martin Mars (or the Client Security Fund, if appropriate) in the amount of \$5,041.00, plus 10% interest per annum from November 10, 1997; and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. She is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 22, 1999. It is also ordered that she take and pass the Multistate Professional Responsibility Examination during the period of her actual

suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) She is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S084340 In re **Robert Charles Wheeler** on Discipline

It is ordered that **Robert Charles Wheeler**, State Bar No. 118465, be suspended from the practice of law for one year and until he makes restitution to Alice Rogers (or the Client Security Fund, if appropriate) in the amount of \$522.50, plus 10% interest per annum from April 1, 1997, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; that execution of suspension be stayed; and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed October 28, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with section 6086.10 of the Business and Professions Code and payable in accordance with section 6140.7 of the Business and Professions Code (as amended effective January 1, 1997).

S084341 In re **Mark N. J. Bush** on Discipline

It is hereby ordered that **Mark N. J. Bush**, State Bar No. 107435, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S084342 In re **Vincent Lewis Jones** on Discipline

It is ordered that **Vincent Lewis Jones**, State Bar No. 147473, be suspended from the practice of law for 30 days, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed November 2, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with section 6086.10 of the Business and Professions Code and payable in accordance with section 6140.7 of the Business and Professions Code (as amended effective January 1, 1997).

S084343 In re **Lawrence Mason Kelly** on Discipline

It is ordered that **Lawrence Mason Kelly**, State Bar No. 111218, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; that execution of suspension be stayed; and that he be placed on probation for two years subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed October 28, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S084344 In re **Richard Alan Kernodle** on Discipline

It is ordered that **Richard Alan Kernodle**, State Bar No. **112513** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his

rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years, subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed October 7, 1999. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S084432 In re **Peter Howe Blunt** on Discipline

It is ordered that **Peter Howe Blunt**, State Bar No. 153392, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; that execution of suspension be stayed; and that he be placed on probation for one year subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed November 10, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S084434 In re **Dennis Angelo Jebbia** on Discipline

It is ordered that **Dennis Angelo Jebbia**, State Bar No. 100945, be placed on probation for one year subject to the conditions of probation, including 18 months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 12, 1999. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on April 29, 1998. (*In re Young*

(1989) 49 Cal.3d 257, 270.) It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.